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May 10, 2011

**VIA ECF**

Honorable Sandra J. Feuerstein  
United States District Court  
Eastern District of New York  
United States Courthouse  
290 Federal Plaza  
Central Islip, New York 11722-4437

Re: Carter v. Ocean Beach, et al.  
Case No.: 07 Civ. 1215 (SJF)(ETB)

**Order**

The application is:

granted

denied

referred to Magistrate Judge \_\_\_\_\_ for

decision

report and recommendation

*S. L. - 5/11*

Your Honor:

The law firm of Rivkin Radler LLP represents Defendants, Incorporated Village of Ocean Beach, Mayor Loeffler, former Mayor Rogers and the Ocean Beach Police Department (hereinafter "Village Defendants"). Recently, all Defendants moved for attorneys' fees, costs and sanctions in connection with the above-referenced action. On May 3, 2011, Your Honor denied the parties' respective motions without prejudice to re-file in accordance with Rule 4 of Your Honor's Individual Rules.

Accordingly, the parties jointly request that Your Honor "So Order" the following briefing schedule:

- This letter shall serve as the movants' cover letter to the Court. Plaintiffs will accept Defendants' previously served motions without the need to re-serve. However, Defendants will re-serve a new Notice of motion on plaintiffs without a return date;

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- Plaintiffs will serve their opposition to Defendants' respective motions on or before June 8, 2011;
- Defendants will serve their reply to plaintiffs' opposition on or before June 17, 2011, and Defendants will file fully briefed motions with the Court on that date in accordance with the "Bundle Rule."

Thank you for your consideration of the proposed schedule.

Respectfully submitted,

RIVKIN RADLER LLP

/s/

Kenneth A. Novikoff

MPW:

cc: Douglas Wigdor (Via ECF)  
Kevin W. Connolly, Esq. (Via ECF)  
Arlene Zwilling, Esq. (Via ECF)

i/o  
Peter P. McNamara, Esq.